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3 Counsel for Appellant  
Jennifer M. Moore  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 In re

No. 07-03716 MMC

11 RICHARD L. HATFIELD,  
12

Appeal from USBC (N.D. Cal.)  
No. 07-30030 TEC 7

13  
14 Alleged Debtor.  
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**DECLARATION OF JAMES  
H. SEYMOUR RE STATUS OF  
APPEAL AND CHANGED  
CIRCUMSTANCES**

16 JENNIFER M. MOORE,  
17

Appellant,  
18

vs.  
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20 RICHARD L. HATFIELD,  
FIRST TRUST CORPORATION  
FBO RICHARD L. SPEES  
FIRST TRUST CORPORATION  
21 FBO J.D. ERICKSON, and  
GEORGE RNJAK,  
22

Appellees.  
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1 I, James H. Seymour, declare:

2 1. I am counsel of record for the appellant in this case, Jennifer M. Moore. I make  
3 this declaration to provide evidence in support of the statement on her behalf regarding  
4 the current status of the circumstances surrounding this appeal. I have been counsel for  
5 Moore in related matters since August 2003 and in this appeal since its filing. In the  
6 course of my representation of Moore, I have acquired personal knowledge of the facts  
7 declared in this declaration.

8 2. Exhibit A to this declaration is the declaration of Michael Cooper, who is counsel  
9 for the creditors of Richard Hatfield (Hatfield) and of Alliance Financial Capital  
10 Holdings, Inc. (AFCH), who are the petitioners on the petitions for the involuntary  
11 bankruptcies of those two persons. The declaration of Cooper was filed in an action  
12 pending in the Superior Court of the State of California for the County of San Mateo in  
13 which related creditors of Hatfield and AFCH are parties.

14 3. On 9 November 2007, a hearing was held in Superior Court of the State of  
15 California for the County of San Mateo at which I was present, and at which an attorney  
16 for the law firm, Wendel Rosen Black & Dean, in which Michael Cooper is a partner,  
17 indicated to the Court that the \$2 million payment required under the "settlement"  
18 among creditors of Hatfield and AFCH and others still had not been paid.

19 I declare under penalty of perjury under the laws of the United States of America  
20 that the foregoing is true and correct.

21 Executed this 19th day of November 2007.

22 JAMES H. SEYMOUR

23  
24 Dated: 19 November 2007

25 /s/ James H. Seymour  
James H. Seymour  
Counsel for Appellant Jennifer M. Moore